

Magistrate Judge Michelle L. Peterson

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,
Plaintiff

v.

JUSTIN BAKER,
Defendant.

CASE NO. MJ24-163

COMPLAINT for VIOLATION

18 U.S.C. § 2244(b) and
49 U.S.C. § 46506(1)

BEFORE, Michelle L. Peterson, United States Magistrate Judge, U.S. Courthouse,
Seattle, Washington.

The undersigned complainant being duly sworn states:

COUNT 1

(Abusive Sexual Contact)

On or about March 14, 2024, within the special aircraft jurisdiction of the United States, that is, while aboard Alaska Airlines flight number 1041, an aircraft in flight traveling nonstop from Burbank, California, to SeaTac, King County, Washington, within the Western District of Washington, and elsewhere, JUSTIN BAKER did knowingly and

1 intentionally engage in sexual contact with Victim 1, that is, touch Victim 1's breast and
2 groin, without Victim 1's permission and with the intent to abuse, humiliate, harass,
3 degrade, and arouse and gratify the sexual desire of any person.

4 All in violation of Title 18, United States Code, Section 2244(b), and Title 49,
5 United States Code, Section 46506(1).

6 And the complainant states that this Complaint is based on the following
7 information:

8 I, Brian Crist, being first duly sworn on oath, depose and say:

9 **AFFIANT BACKGROUND**

10 1. I am a Special Agent with the Federal Bureau of Investigation ("FBI") and
11 have been employed with the FBI since February 2023. I am currently assigned to the
12 Seattle Field Office where I am a member of the violent crime, gang, and Transnational
13 Organized Crime – Western Hemisphere squad. I am currently designated as a member of
14 the Civil Aviation Security Program ("CASP"), which investigates crimes occurring within
15 the special maritime and territorial jurisdiction of the United States. Per Title 49, United
16 States Code, Section 46506, the FBI has been designated as the law enforcement agency
17 responsible for investigating crimes that occur onboard an aircraft in flight, including
18 interference with a flight crew and any physical or sexual assault.

19 2. In my role as member of the CASP team, I have participated in investigations
20 into sexual assaults onboard aircrafts that have resulted in the arrest of individuals and the
21 seizure of related evidence. I have also participated in investigations into international child
22 kidnappings that have occurred within the special maritime and territorial jurisdiction of
23 the United States. I have been involved in executing federal arrest warrants and have
24 conducted custodial and non-custodial interviews of the subjects, victims, and witnesses in
25 these investigations.

26 3. I am an investigative law enforcement officer of the United States within the
27 meaning of Title 18, United States Code, Section 2510(7). As such, I am empowered to

1 conduct investigations of, and to make arrests for, offenses enumerated in Title 18, United
2 States Code, Section 2244.

3 4. This affidavit is made based upon my personal knowledge, training,
4 experience, and investigation, as well as upon information provided to me, and my review
5 of reports prepared by, other law enforcement personnel. This affidavit is made for the
6 purpose of establishing probable cause for this Complaint and thus does not include each
7 and every fact known to me concerning this investigation.

8 **SUMMARY OF PROBABLE CAUSE**

9 5. According to reports and statements I reviewed, Alaska Airlines flight
10 number 1041 departed Hollywood Burbank Airport in Burbank, California at
11 approximately 6:49 a.m. Pacific Standard Time ("PST") on Thursday, March 14, 2024, and
12 landed at Seattle-Tacoma International Airport ("SEA"), within the Western District of
13 Washington, at approximately 9:54 a.m. PST on March 14, 2024.

14 6. Victim 1, an 18-year-old female, whose full name is known to me but not
15 included here because this is a public filing, was seated in the window seat of the aircraft.
16 BAKER, 41-year-old male, was seated next to her in the middle seat and another male next
17 to BAKER was in the aisle seat.

18 7. Victim 1 told investigators that during the flight, BAKER began bumping his
19 knee in Victim 1's knee. Victim 1 tried to move closer to the window to prevent the
20 touching. BAKER then scrolled through messages on his mobile phone until he found a
21 specific text thread. BAKER then set his mobile phone on his leg with this text thread still
22 open, deliberately in Victim 1's view, and showed Victim 1 a text conversation between
23 BAKER and his spouse about engaging in sexual acts. BAKER talked to Victim 1 about
24 the conversation and touched her thigh briefly. This made Victim 1 uncomfortable, and she
25 again moved her leg away. BAKER draped his jacket to cover both his lap and Victim 1's
26 lap before again placing his hand on Victim 1's thigh. BAKER then moved his hand up
27 Victim 1's thigh and rubbed her groin and the outside of her genitalia, over her clothing,

1 for approximately two minutes. Victim 1 was wearing a linen jumper. Victim 1 told
2 BAKER, "No," and informed BAKER that she was uncomfortable, and did not consent to
3 BAKER's touching. At some point during their interaction, BAKER turned his back to
4 shield the view of Victim 1 from others and pointed out the window, as if he was trying to
5 get Victim 1 to look at the scenery. BAKER then touched Victim 1's breast over her shirt
6 multiple times. When the captain came over the intercom to tell passengers that they had
7 one final chance to use the restroom before descent began, Victim 1 used the opportunity
8 as an excuse to safely leave her seat and get help. Victim 1 exited her row, immediately
9 went to the galley, and reported the incident to the flight attendants. Flight attendants found
10 a new seat for Victim 1 away from BAKER and grabbed Victim 1's belongings for her.

11 8. Flight attendants reported to the Port of Seattle Police Department that while
12 in flight, Victim 1 reported that she was inappropriately touched and that she was visibly
13 shaken and emotionally distraught. Similarly, when talking to investigators, Victim 1
14 appeared very anxious and was communicating in a nervous manner.

15 9. After the flight landed, I learned that BAKER had been detained by the Port
16 of Seattle Police Department as the alleged perpetrator of the sexual assault. Investigators
17 interviewed BAKER upon landing at the airport. BAKER stated to investigators that he
18 had showed Victim 1 a sexually explicit conversation on his phone and talked about it with
19 her. BAKER showed this text conversation to investigators. Investigators were able to see
20 that the text message was from days prior and required BAKER to scroll to find it. The text
21 conversation contained explicit messages to BAKER's wife regarding his genitalia, oral
22 sex, and his preferred sexual positions. BAKER stated that he placed his hand on his own
23 leg and touched Victim 1 with his pinky and asked if Victim 1 was comfortable with the
24 touching. BAKER reported that Victim 1 stated "Yes." BAKER also stated that he touched
25 Victim 1's thigh, placed his jacket over both his lap and Victim 1's lap, and touched Victim
26 1's groin area with his hand over her clothes. BAKER's account was consistent with Victim
27 1's account of the physical contact, however, BAKER stated that the exchange was

1 completely consensual. BAKER stated that he asked Victim 1 if she was comfortable as he
2 was touching her and she said "yes." BAKER stated that Victim 1 grabbed his hand and
3 put it on her genitalia, thrust her hips, and was sexually gratified by the touching. Victim 1
4 denies she consented to, or engaged in, the touching. BAKER also indicated that Victim 1
5 touched his crotch, which Victim 1 did not state.

6 10. The individual sitting in the aisle seat next to BAKER told the Port of Seattle
7 Police Department that he did not see anything. The individual stated that when BAKER
8 turned his body to look out Victim 1's window, he heard kissing sounds and thought it was
9 strange. Neither BAKER nor Victim 1 mentioned contact through kissing in their
10 statements. The individual also stated he observed BAKER place his jacket over BAKER
11 and Victim 1's laps and that BAKER's hands were underneath the jacket.

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CONCLUSION

11. Based on the above facts, I respectfully submit that there is probable cause to believe that JUSTIN BAKER committed the crime of Abusive Sexual Contact, in violation of Title 18, United States Code, Section 2244(b), and Title 49, United States Code, Section 46506(1).



BRIAN CRIST, Complainant
Special Agent, FBI

Based on the Complaint and Affidavit sworn to before me, and subscribed in my presence, the Court hereby finds there is probable cause to believe the Defendant committed the offense set forth in the Complaint.

Dated this 15th day of March, 2024.



Michelle L. Peterson
United States Magistrate Judge